

O'NEAL CONSTRUCTION, INC.

CONTRACT NO. V200C-003

VABCA-5854-5855

VA AUTOMATION CENTER  
AUSTIN, TEXAS

*Scott Moore, Esq.*, Joseph & Moore, P.C., Austin, Texas, for the Appellant.

*Millicent Gompertz, Esq.*, Trial Attorney; *Charlma J. Quarles, Esq.*, Deputy Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

### ORDER REINSTATING APPEALS AND ENTERING JUDGMENT

1. On September 6, 2000, the Board dismissed these appeals while the parties finalized settlement discussions. Those discussions are complete and VABCA- 5854 and 5855 are hereby restored to the active Docket.
2. On October 18, 2000, the Department of Veterans Affairs and Appellant filed a JOINT MOTION FOR JUDGMENT ON SETTLEMENT AGREEMENT. The motion encloses a SETTLEMENT AGREEMENT finally executed on October 13, 2000, entered into by the parties concerning VABCA-5854 and 5855.
3. Inasmuch as the parties have stipulated the equitable adjustments due O'Neal Construction, Inc. to be \$690,000, their JOINT MOTION FOR JUDGMENT ON

SETTLEMENT AGREEMENT is GRANTED. Appellant is found entitled to \$690,000, pursuant to the terms and conditions of the SETTLEMENT AGREEMENT entered into by the parties.

**IT IS SO ORDERED**

DATE: **November 1, 2000**

---

WILLIAM E. THOMAS  
Administrative Judge